

Avaltroni, Robert

To: Ward, Chris
Cc: Gilsenan, Michael
Subject: FW: Cancellation Policy and Edelman draft

-----Original Message-----

From: Avaltroni, Robert
 Sent: Tuesday, December 10, 2002 2:17 PM
 To: 'Callahan.Kathy@epamail.epa.gov'
 Subject: RE: Cancellation Policy and Edelman draft

Kathy,

I am sending this e-mail in response to the issues you raised in your recent e-mail. I disagree with your statements we don't have a "firm plan" and "confusion exists among agencies." Based on our 11/26/02 meeting, we have collectively implemented a plan that our staffs have been following. I hope this e-mail alleviates any confusion that might exist.

Issue 1: 125 Cedar Street - Minor wording can be easily addressed. We concur. No confusion here.

Issue 2: Retroactive cancellation policy - As stated in my earlier e-mail, I am not sharing FEMA's concern, but relenting to the residents' choice.

Issue 3: Lack of plan to address HVACS -

On November 26, 2002, DEP and EPA met to finalize the thoughts developed collectively to address issues related to HVACs (please refer to 11/26/02 meeting notes compiled by your staff). To date, we have not deviated from the plan as outlined. In fact, by following the collective plan, we have been able to schedule contractors to estimate the cleaning cost for HVAC/exhaust systems identified as needing some form of clean up. Additionally, our staffs have been working very hard at trying to decipher the information on hand to identify building requests for HVAC inspections/cleaning.

Issue 4: Quad D inactivity

As noted above, by following the plan, EPA/DEP has been able to schedule a cleaning contractor to estimate the cleaning cost for a subset of buildings whose reports have indicated some cleaning necessary of HVAC/exhaust systems. Last Friday, 12/6, the Quad D contractor brought to our attention that apartments that could be cleaned (not needing HVAC/exhaust vents cleaned) were released by your office for cleaning after DEP brought the contractor's concerns to your office. Also, we collectively agreed prior to the 11/26/02 meeting to proceed with HVAC inspections in other Quads from the outside perimeter in. Subsequently, staff spoke in reference to speeding up the apartment cleanup activities, which would allow buildings deemed clean, to proceed without the detailed HVAC report/checklist. (Needless to say, the full checklist/report would follow.) One concern that we still have is with the Quad B monitoring contractor's performance to date. It is our understanding that the Quad B coordinator will be meeting with said contractor to address our concerns.

Based on all of the above, it is our belief that our collective implementation plan will allow the program to conclude by March 1, 2002. I certainly don't feel we need to meet with Chris and Jane. EPA/DEP staffs have worked very hard in a responsible manner to bring us to the point of achieving our objectives.

Let's continue to provide the direction with one voice to avoid any mishaps at this late stage. As discussed, Krish, Ray and Eric have been working in harmony to move things along. Let's encourage them to continue this approach enabling us to tap into their source of knowledge and expertise.

I hope our communications can remain less formal.

Regards,

Bob

-----Original Message-----

From: Callahan.Kathy@epamail.epa.gov
 [mailto:Callahan.Kathy@epamail.epa.gov]
 Sent: Tuesday, December 10, 2002 10:13 AM
 To: Avaltroni, Robert
 Subject: Re: Cancellation Policy and Edelman draft

bob, we spoke after i had sent my message. and i did check with ray basso. he and krish spent time today going over the information on HVACs we had sent, both copies of reports from Quad D and a spreadsheet with "whole building information" which should be useful in making assessment and projections. but ray was not aware of a particular proposal from krish, so i have asked him to check with krish first thing today.

we also have the other quadrants' HVAC issues to resolve. i was pleased to hear you say that you felt we had an approach and could soon proceed. but there are still outstanding issues as far as i know. perhaps you will resolve them this week. and we will continue to aggressively pursue the items i outlined. let's stay in touch and continue to work. we will do our utmost to complete the program as soon as possible. right now i hesitate to claim March 1 as a realistic goal, since we have no experience with the pace of HVAC cleanup yet and we may have to "catch up" on apartment cleanups and testing once HVAC work is completed at buildings. Hopefully, we will soon get a better handle on this. the sooner we get our updated HVAC checklist in place and meet with the contractors to review it, and get them using it, the better. we can then get a clear scope of the work involved and move ahead on the buildings where the HVAC is ok.

I still think that a meeting between jane and chris next week is valuable, even if it's purpose is to go over our status and assure we have a mutual understanding of where we stand.

I will get you further details on the cancellation issue, as i mentioned. but if we need to rescind rescheduled cleanups that were set up before the cancellation policy was put in place, in order to make the program retroactive, i.e. apply it from inception, we will have to take the time to track this back. i will let you know what is involved.

speak to you soon, kathy

Kathleen C. Callahan
212-637-3116
212-637-3115 (fax)

"Avaltroni,
Robert"
<ravaltroni@dep.
nyc.gov>

To: Kathy Callahan/R2/USEPA/US@EPA
cc:
Subject: Re: Cancellation Policy and Edelman draft

12/09/2002 06:12
PM

Kathy,. I am confused about the issues you sight in this e-mail. The issues related to HVACS and quad D have been addressed by our staffs and are resolved. I am sure you have been pre-occupied with other issues. This is clearly what I articulated to you during our phone conversation prior to the disposition of this message. With respect to the cancellation policy, in viewing your issues the impediments you raised are unrealistic. If residents have cancelled (hardships aside) the cancellation policy should role back to inception. In reality I am not sharing FEMA'S concern but relenting to residents choice. We are pubic servants managing a project sensitive to all residents in Lower

Manhattan, with this responsibility goes decision making. We have made responsible decisions and are poised to complete this project by the targeted date of March 1 2002.

Sent from Bob's BlackBerry Wireless Handheld